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1247-1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT OPERATION**

2004 AUG -9 AM 11: 23

In re application of:)
Eric H. Simonson)
Serial No.: 10/081,315) Group Art Unit: 1723
Filed: February 2, 2002) Examiner: Savage, Matthew O

For: **FILTER HOUSING WITH INTERCHANGEABLE FILTER MOUNTING
PLATE**

New York, NY 10036
August 4, 2004

Mail Stop 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND

Sir:

A Request for Continued Examination (RCE) was filed July 2, 2004 in the above-identified patent application. The request was accompanied by a check in the amount \$385.00 representing the RCE fee. Following the request, a Notice of Improper Request

I hereby certify that this paper or fee is being deposited with the United States Postal Service as first class mail on August 4, 2004 in an envelope addressed to:

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Kenneth F. Flory, Reg. No. 33,173

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for Continued Examination issued on July 20, 2004 and the RCE did not proceed.

Applicant therefore respectfully requests a refund of the \$385.00 RCE filing fee that was made. Please credit our deposit account for this amount. Deposit Account No. 08-1540.

Respectfully submitted,

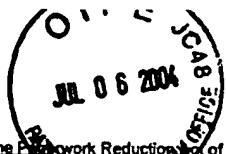


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PTO/SB/30 (09-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**Continued Examination Request
for
Continued Examination (RCE)
Transmittal**

**Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

<i>Application Number</i>	10/081,315
<i>Filing Date</i>	02/21/2002
<i>First Named Inventor</i>	Eric H. Simonson
<i>Art Unit</i>	1723
<i>Examiner Name</i>	Matthew O. Savage
<i>Attorney Docket Number</i>	1247-1

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____

ii. Other Amendment filed 12/31/2003

b. Enclosed

i. Amendment/Reply iii. Information Disclosure Statement (IDS)
ii. Affidavit(s)/ Declaration(s) iv. Other, Statement of Substances

2. Miscellaneous

a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

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Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
The Director is hereby authorized to charge the following fees, or credit any overpayments, to
Deposit Account No. 08-1540.

i. RCE fee required under 37 CFR 1.17(e)

ii. Extension of time fee (37 CFR 1.136 and 1.17)

iii. Other any deficiencies associated with these papers

b. Check in the amount of \$ \$385.00-\$475.00 enclosed

c. Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

SIGNATURE OF ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Kenneth F. Flors, Esq.	Registration No. (Attorney/Agent)	33.173
Signature			
Date	July 2 2004		

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type) Kenneth F. Florek, Esq.

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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